

FILED
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U.S. DISTRICT COURT E.D.N.Y.
★ JUN 27 2005 ★

P.M. _____
TIME A.M. _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
-----X
HOWARD WILLIS,

Petitioner,

05 CV 1014 (SJ)
ORDER

-against-

UNITED STATES OF AMERICA,

Respondent.
-----X

A P P E A R A N C E S

HOWARD WILLIS
#58517-053
P.O. Box 97
Jonesborough, TN 37659
Petitioner, *Pro Se*

ROSLYNN R. MAUSKOPF, ESQ
United States Attorney
One Pierrepont Plaza, 14th Floor
Brooklyn, New York 11201
Attorneys for Respondent

JOHNSON, Senior District Judge:

Petitioner has filed a motion for habeas relief pursuant to 28 U.S.C. § 2255.

His direct appeal was dismissed by the Second Circuit on December 29, 2004. U.S. v. Willis, 2004 WL 2998720 (2d Cir. 2004), and Petitioner filed the instant motion on February 18, 2005. Since that time, Petitioner petitioned the Second Circuit to vacate the order dismissing his appeal, and the Second Circuit issued an order remanding

Petitioner's case for resentencing before this Court. The Court declines to dismiss the motion for habeas relief, but holds that the motion shall be held in abeyance until Petitioner has been resentedced.

SO ORDERED.

Dated: June 23, 2005
Brooklyn, NY

s/S.J.

Senior U.S.D.J.